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On 8/22/03

TOWNSEND and TOWNSEND and CREW LLP

By: Lisa Fawcett

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Pierre F. Indermuhle, et al.

Application No.: 09/759,106

Filed: January 11, 2001

For: MICRODEVICE AND METHOD FOR
DETECTING A CHARACTERISTIC OF A
FLUID

Commissioner for Patents

P.O. Box 1450

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Examiner: Brian J. Sines

Art Unit: 1743

RESPONSE TO RESTRICTION
REQUIREMENT

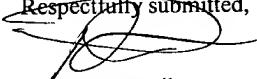
Sir:

In the Office Action mailed July 25, 2003, the Examiner restricts the claims into three Groups, Group I (claims 1-12), Group II (claims 13-16 and 23-26) and Group III (claims 17-22, 27 and 28).

In response to the Office Action, Applicants elect Group III, claims 17-22, 27 and 28, drawn to a method incorporation the use of probes and microdevice having fluid channels, for prosecution on the merits, with traverse.

An Office Action on the merits is respectfully requested.

Respectfully submitted,


Patrick R. Jewik
Reg. No. 40,456

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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|--|------------------------|-----------------------|
| | | Application Number | 09/759,106 |
| | | Filing Date | January 11, 2001 |
| | | First Named Inventor | Indermuhle, Pierre F. |
| | | Art Unit | 1641 1743 |
| | | Examiner Name | Unassigned |
| Total Number of Pages in This Submission | | Attorney Docket Number | 020144-000710US |

ENCLOSURES (Check all that apply)

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Reply to Restriction Requirement | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------------|--|--|
| Firm or Individual | Townsend and Townsend and Crew LLP Patrick R. Jewik | |
| Signature | | |
| Date | 8/22/03 | |

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|-----------------------|-------------|------|---------|
| Typed or printed name | Lisa Kaiser | | |
| Signature | | Date | 8/22/03 |

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